
MINUTES

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

Honorable Mark E. Fuller,

AT MONTGOMERY, AL

DATE COMMENCED: 7-12-06

AT 2:20 p.m.

DATE COMPLETED: 7-12-06

AT 2:30 p.m.

ASD Specialty Healthcare, Inc.)

)

vs.)

)

CV NO. 1:05CV591-MEF

Oncology Hematology Centers of)

Atlanta, PC, et al.

Plaintiff

APPEARANCES

Defendant

Heath A. Fite

David Allred

Court Officials Present:

Jimmy Dickens, Court Reporter

Meredyth Cohen, Law Clerk

Kelli Gregg, Courtroom Clerk

COURTROOM PROCEEDINGS

7/12/06 Motion to Withdraw by Defendant

2:20 p.m. -

Court convenes.

Counsel Allred states the grounds for filing his Motion to Withdraw from this case.

Plaintiffs counsel responds to the Motion to Withdraw filed by counsel for the defendants.

Court states that defendants, Dr. Geddes and the Oncology Hematology Centers of Atlanta,

PC are not here today. The Court will DENY the Motion to Withdraw with leave to re-file

at a later date. The Court ORALLY ORDERS

that Dr. Geddes and Oncology Hematology

Centers of Atlanta, PC participate in

whatever discovery Rules 30, 31, 33, 34 or 36 of Civil Rules of Procedure require. If they

fail to participate in discovery, the Court will refer the corporation and Dr. Geddes to

the sanctions available to this Court

pursuant to Rule 37 of this Court. It will be a direct violation of this Court if discovery is not met pursuant to Rule 37 (b)(2)C in which this Court could render a judgment by default against the disobedient party. Counsel should set whatever future discovery it deems necessary at a time convenient with Mr. Allred and the defendants under this Courts direct order in complying with discovery. If there is noncompliance, the Court would consider Mr. Allred's filing of another Motion to Withdraw as Counsel. Court asks that Mr. Fite set discovery within the next 30 days from today's date.

2:30 p.m. -

Court is in recess.